

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

Heriberto Olivares-Benitez

IAE

YOB: 1986

Mexico

(Name and Address of Defendant)

United States District Court
Southern District of Texas
FILED

JAN 18 2019

Clerk of Court

CRIMINAL COMPLAINT

Case Number: M-19-0120-M

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my

knowledge and belief. On or about January 16, 2019 in Hidalgo County, inthe Southern District of Texas

(Track Statutory Language of Offense)

being then and there an alien who had previously been deported from the United States to the Mexico in pursuance of law, and thereafter was found near Cuevitas, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326 (Felony)

I further state that I am a(n) Senior Patrol Agent and that this complaint is based on the following facts:

Heriberto Olivares-Benitez was encountered by Border Patrol Agents near Cuevitas, Texas on January 16, 2019. The investigating agent established that the Defendant was an undocumented alien and requested record checks. The Defendant claims to have illegally entered the United States on January 16, 2019, near Hidalgo, Texas. Record checks revealed the Defendant was formally Deported/Excluded from the United States on October 1, 2013 through Harlingen, Texas. Prior to Deportation/Exclusion the Defendant was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security. On July 29, 2011, the defendant was convicted of 8 USC 1326, Re-entry of a Deported Alien and sentenced to six (6) months confinement and one (1) year supervised release term.

Approved: ANSA LANA GARCIA
[Signature]

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

Sworn to before me and subscribed in my presence,

January 18, 2019J. Scott Hacker, U.S. Magistrate Judge

Name and Title of Judicial Officer

[Signature]
Signature of ComplainantLozando Bogle Senior Patrol Agent[Signature]
Signature of Judicial Officer